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Attorneys for Defendant
FORTINET, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ENRICO GARGALE,
Plaintiff,

v.

FORTINET, INC. and DOES 1 through 50,
Defendants.

CASE NO.: CV-08-3167-JF

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND TIME IN
WHICH DEFENDANT FORTINET,
INC. MUST FILE A RESPONSIVE
PLEADING & CONTINUING CMC
DATE**

Current CMC Date: October 24, 2008

Proposed CMC Date: November 21, 2008

Before: Hon. Jeremy Fogel

WHEREAS, Plaintiff filed his Complaint on July 1, 2008;

WHEREAS, Defendant Fortinet, Inc.'s responsive pleading is currently due on October 3, 2008;

WHEREAS, the Rule 26(f) Report, initial disclosures, and Case Management Statement are currently due on October 14, 2008;

WHEREAS, the Initial Case Management Conference is currently scheduled for October 24, 2008 at 10:30 a.m.;

WHEREAS, the parties desire to defer such deadlines in order to pursue settlement discussions;

1 NOW, THEREFORE, the parties, by and through their undersigned counsel of record,
2 hereby agree and stipulate to the following:

3 1. Defendant Fortinet, Inc. will file a responsive pleading on or before November 3,
4 2008.

5 2. The Rule 26(f) Report, initial disclosures, and Case Management Statement will
6 be filed on or before November 11, 2008.

7 3. The Initial Case Management Conference currently scheduled for October 24,
8 2008 is hereby continued until November 21, 2008, or to such later date as may be ordered by
9 the Court.

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11 Dated: September 30, 2008

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14 By: /s/ Michael C. Osborne

15 Michael C. Osborne

16 *Counsel for Plaintiff Enrico Gargale*
17

18 Dated: September 30, 2008

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22 By: /s/ Cynthia A. Dy

23 Cynthia A. Dy

24 *Counsel for Defendant Fortinet, Inc.*
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[PROPOSED] ORDER

Based upon the above stipulation of the parties, and for good cause appearing therefor, IT
IS HEREBY ORDERED THAT:

1. Defendant Fortinet, Inc. will file a responsive pleading on or before November 3, 2008.

2. The Rule 26(f) Report, initial disclosures, and Case Management Statement will be filed on or before November 11, 2008.

3. The Initial Case Management Conference currently scheduled for October 24, 2008 is hereby continued until November 21, 2008, or to such later date as may be ordered by this Court.

Dated: October 6, 2008



Hon. Jeremy Fogel
United States District Judge

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Pamela E. Glazner, attest that concurrence in the filing of this document has been obtained from each of the signatories. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 30th day of September, 2008 at Palo Alto, California.

By: /s/ Pamela E. Glazner

Pamela E. Glazner

Counsel for Defendant Fortinet, Inc.